

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

|   |   |
|---|---|
| -----X  |   |
| GENE SAMIT and JOHN LANTZ, Individually         | : |
| and On Behalf of All Others Similarly Situated, | : |
|   | : |
| Plaintiff,                                      | : |
|   | : |
| v.  | : |
|   | : |
| CBS CORPORATION, et al.,                        | : |
|   | : |
| Defendants.                                     | : |
|   | : |
| -----X  |   |

Consolidated Action No. 1:18-cv-7796

**NOTICE OF THE MOTION OF  
CBS CORPORATION AND  
CERTAIN INDIVIDUAL  
DEFENDANTS TO DISMISS THE  
AMENDED COMPLAINT**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law, Declaration of Mary Eaton and all exhibits annexed thereto, Defendants CBS Corporation, Joseph R. Ianniello, Lawrence Liding, David Rhodes, David R. Andelman, Joseph A. Califano, Jr., William S. Cohen, Gary L. Countryman, Charles K. Gifford, Leonard Goldberg, Bruce S. Gordon, Linda M. Griego, Robert N. Klieger, Martha L. Minow, Doug Morris, and Shari E. Redstone (collectively, the “Moving Defendants”) shall move this Court before the Honorable Valerie E. Caproni, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, on a date and time to be determined by the Court, for an order, pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act, 15 U.S.C. § 78u-4, dismissing the Amended Complaint for Violations of The Federal Securities Laws, filed on February 11, 2019, in its entirety, with prejudice, and granting to the Moving Defendants such other and further relief as this Court deems just and proper.

Dated: April 12, 2019

Respectfully Submitted,

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